THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.28953 of 1997

Date: 14.03.2007

Between:

P.Uma and others.

....Petitioners

And

The District Collector, Prakasam District, Ongole and others.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.28953 of 1997

O R D E R:

Petitioners are the owners of an extent of Ac.0.50 cents of land in Motupally Village of Chinaganjam Mandal, Prakasam District. They brought about fish ponds over the said land. The respondents tried to dismantle the same, on the ground that the ponds are dug within the Coastal Regulatory Zone (CRZ). The petitioners state that the land is four kilo meters away from the sea and there is absolutely no basis for the respondents in trying to dismantle the ponds.

On behalf of respondents 1 and 2, a counter affidavit is filed. It is stated that the ponds developed by the petitioners are at a distance of 250 meters from a creek, by name Kunderu. They plead that according to the Judgments of the Supreme Court, the CRZ covers an area of 500 meters from the sea or creeks, as the case may be, and continuance of the fish ponds by the petitioners is illegal.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The petitioners do not dispute that the development of fish ponds within the CRZ is prohibited. Their contention, however, is that the ponds developed by them are outside the CRZ and they are at a distance of four kilo meters from the sea coast.

If the ponds developed by the petitioners are outside the CRZ, the respondents could certainly have been prevented from interfering with the activity of the petitioners. In the counter affidavit, it is categorically stated that the ponds are at a distance of 250 meters from a creek, which is, as much, a part of the sea. It is not in dispute that the CRZ covers a belt of 500 meters along the coast, including creeks. The petitioners have not chosen to file any reply, denying the contention of the respondents.

For the foregoing reasons, the Writ Petition is dismissed. There shall be no order as to costs.

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14.03.2007

JSU